IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 35317 of 2007(D)

PETITIONER:

J.D.T.ISLAM ORPHANAGE COMMITTEE,
VELLIMADUKUNNU, CALICUT-673012,
REPRESENTED BY ITS SECRETARY,
DR.P.C.ANWAR.

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENT:

KERALA NURSES AND MIDWIVES COUNCIL,
RED CROSS ROAD, THIRUVANANTHAPURAM-35,
REPRESENTED BY ITS REGISTRAR.

BY ADV. SRI.N.RAGHURAJ, SC, TCMC & KNMC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 35317 OF 2007

Dated: December 7, 2007

JUDGMENT

Petitioner has filed an application before the respondent for approval of a Nursing College and orders on the application were not passed. It is seen from Ext.P7 that the reluctance on the part of the respondent was on account of previous orders that were passed by the Kerala Lok Ayukta which had the effect of restraining the respondent from exercising its statutory powers.

2. In several cases of this nature this court had considered this issue and in all such cases orders have been passed permitting the respondent to consider the applications made by the respective colleges notwithstanding the orders that are passed by the Lok Ayukta. In view of the similarity of the issues involved in this case, I am inclined to pass the same order.

Accordingly, I dispose of this writ petition directing that irrespective of the orders that are passed by the Kerala Lok Ayukta in this case, the respondent Council will be free to consider the application made by the

petitioner for approval of their nursing college. This the respondent shall do as expeditiously as possible.

ANTONY DOMINIC, JUDGE

mt/-